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Rule 12(b)(6), Federal Rules of Civil Procedure, and for failure to sufficiently plead fraud under Rule 9(b), arguing that plaintiff has failed to state with particularity the circumstances constituting fraudulent misrepresentation, negligent misrepresentation, and consumer fraud. In federal court, motions are usually resolved on the pleadings and without a hearing.

Plaintiff is further advised that he has the right to file a written response to the defendants' Motion to Dismiss. In that response, plaintiff needs to explain to the Court why his claims should survive the Motion to Dismiss and point to any relevant law that supports his argument. Plaintiff is advised that he must also send a copy of that response by mail to counsel for defendants and certify that he has done so in his response. Plaintiff is further advised that if he fails to file a written response within the time provided by this Order, it is possible that his Complaint could be summarily dismissed. Finally, plaintiff is advised that the issues presented are complex and that while he has the right to represent himself, he should attempt to secure counsel licensed to practice in this Court.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff file and serve a response to defendants' Motion to Dismiss (#10) in this Court not later than December 22, 2017.

IT IS FURTHER ORDERED that in accordance with the undersigned's Standing Order, the Motion to Dismiss be referred to a United States Magistrate Judge for

consideration of the Motion to Dismiss and any timely response and reply in preparing a Memorandum and Recommendation.

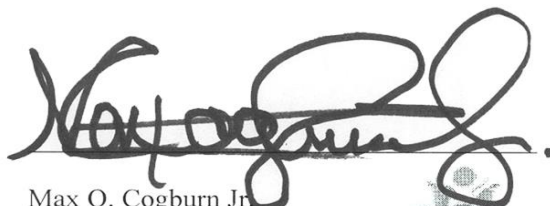
In addition to mailing a copy of this Order to plaintiff on the return address found on the state-court summonses, the Clerk of Court is, in an abundance of caution, instructed to send courtesy copies of this Order to plaintiff's state-court counsel at the addresses provided on the Complaint (#1-1), his professional address maintained by the NC State Bar, and by email, as follows:

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Signed: December 5, 2017



Max O. Cogburn Jr.
United States District Judge